



State of Ohio Environmental Protection Agency

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June 15, 2009

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**RE: PLASTECH ENGINEERED PRODUCTS-ANDOVER FACILITY  
OHD068896778, ASHTABULA COUNTY, CRO NOV**

Gentlemen:

On February 11, 2009, Ohio EPA conducted an inspection of the former Plastech Engineered Products, Inc. - Andover Facility (Plastech) located on the Maple Street Extension in Andover, Ohio. The purpose of the inspection was to determine Plastech's compliance with Ohio's Cessation of Regulated Operations (CRO) laws as found in Chapter 3752 of the Ohio Revised Code (ORC) and Chapter 3745-352 of the Ohio Administrative Code (OAC). Ohio EPA documented the following violations of Ohio's CRO laws:

1. **ORC §3752.04 and OAC rule 3745-352-20(A)(1)(a), Notice of cessation of regulated operations.** The owner or operator, not later than thirty days after the cessation of all regulated operations at the facility, must submit to the director of Ohio EPA (director), the local emergency planning committee (LEPC) and the local fire department, a notice of the cessation of all regulated operations at the facility. The notice shall be submitted on a form prescribed by the director.

Plastech failed to notify Ohio EPA of the Andover facility's cessation of regulated operations. To abate this violation, Plastech must submit a completed CRO form 0327 to all required entities. Please refer to Appendix A in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

2. **ORC §3752.05(A)(B) and OAC rule 3745-352-20(A)(1)(c), Designating a contact person for the facility.** Each owner or operator who is required to submit a notice of cessation of regulated operations must designate a contact person for the reporting facility. The written designation of the contact person must accompany the notice submitted under ORC §3752.04. The written designation must include the address of the principal office of the owner or operator, the business or residence address and telephone number of the contact person and must be made on the form prescribed by the director.

Plastech failed to designate a contact person for the Andover facility. To abate this violation, Plastech must submit a completed CRO form 0327 to all required entities. Please refer to Appendix A in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

3. **ORC §3752.06(A)(1)(2) and OAC rule 3745-352-20(A)(2)(a)(b), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must do all of the following:
- Submit to the director a copy of the most recent emergency and hazardous chemical inventory form for the facility submitted to the State Emergency Response Commission (SERC) accompanied by a statement indicating whether any asbestos-containing materials are present at the facility; and
  - Submit to the director a copy of the current hazardous chemical list, or of each of the material safety data sheets (MSDS), that the owner or operator is required to have on file with the SERC.

Plastech failed to submit a copy of the most recent emergency and hazardous chemical inventory form submitted to the SERC and the most current hazardous chemical list or MSDS that Plastech is required to have on file with the SERC. To abate this violation, Plastech must submit to Ohio EPA all documentation required by ORC §3752.06 and OAC rule 3745-352-20. For additional information, please refer to the document entitled "Cessation of Regulated Operations Manual."

4. **ORC §3752.06(A)(4)(5) and OAC rule 3745-352-20(A)(2)(d), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must do all of the following:
- Drain or remove all regulated substances from each stationary vat, tank, electrical transformer, vessel and from all piping that is to remain at the facility and manage them in compliance with ORC 3752.06(A)(4)(a)(b)(c);
  - Remove from the facility all debris, non-stationary equipment and furnishings, non-stationary containers, motor vehicles and rolling stock that contain or are contaminated with a regulated substance and manage them in compliance with ORC 3752.06(A)(5)(a)(b)(c).

Plastech failed to remove all regulated substances from the facility, as well as any item that contains or is contaminated with a regulated substance. For a list of regulated substances that were not removed, please refer to Attachment A which summarizes Ohio EPA's observations made during the February 11, 2009 inspection. Additionally, Ohio EPA did not assess the facility for the presence of asbestos containing materials or Polychlorinated Biphenyls (PCBs) that may be present in electrical equipment. To abate this violation, Plastech must remove all regulated substances in compliance with ORC §3752.06(A)(4)(5) and OAC rule 3745-352-20(A)(2). Submit documentation (e.g. manifests, bills-of-ladening, receipts, etc.) that certify all regulated substances were lawfully removed from the Andover facility.

5. **ORC §3752.06(A)(6) and OAC rule 3745-352-20(A)(2)(d), Duties of owner or operator within ninety days of cessation of regulated operations.** The owner or operator, not later than ninety days after the cessation of all regulated operations at the facility, must make a written certification to the director that the actions required under ORC §3752.06(A)(4)(5) were completed in compliance with those laws and any other applicable law adopted under ORC §3752.03. The certification must be made on the form prescribed by the director and, in addition to the information required by ORC §3752.06(A), must include, the owner's or operator's name and the address of the owner's or operator's principal office.

Plastech failed to certify to Ohio EPA that all regulated substances were removed from the Andover facility. To abate this violation, Plastech must submit all documentation required by ORC §3752.06 and OAC rule 3745-352-20. Additionally, Plastech must submit a completed CRO form 0329 to all required entities. Please refer to Appendix B in the document entitled "Cessation of Regulated Operations Manual" for a copy of this form.

6. **ORC §3752.07(A) and OAC rule 3745-352-30(A)(B)(C), Securing buildings, structures or outdoor locations against unauthorized entry.** Within thirty days after the cessation of regulated operations at a facility, the owner or operator must secure against unauthorized entry into each building, structure or outdoor location at the facility where regulated operations were conducted and that contains or is contaminated with regulated substances. The owner or operator must secure each building, structure or outdoor location and any other potential means of entry. Also within the thirty-day period, the owner or operator must post on each building, structure, or outdoor location, in publicly visible locations warning signs that prohibit trespassing and state: "The building, structure, or outdoor location of operation contains or is contaminated with regulated substances that may endanger public health or safety if released into the environment." All entry barriers and warning signs must be inspected weekly as prescribed in OAC rule 3745-352-30(C). The owner or operator must continue the security measures and maintain the warning signs until the owner or operator has complied with ORC § 3752.06 and the director has verified the compliance and concurred with the owner's or operator's certification.



Plastech failed to secure the facility against unauthorized entry, post warning signs and conduct inspections. To abate this violation, Plastech must submit documentation that the facility has been secured against unauthorized entry, warning signs were posted and inspections are being conducted. All documentation submitted must demonstrate compliance with ORC §3752.07 and OAC rule 3745-352-30.

For information concerning the CRO laws, please refer to Ohio EPA's guidance document entitled "Cessation of Regulated Operations Manual," available at: [http://www.epa.state.oh.us/dhwm/cro/CRO\\_Manual.pdf](http://www.epa.state.oh.us/dhwm/cro/CRO_Manual.pdf).

As required by OAC rule 3745-52-34(A)(1)(e) and in accordance with OAC rules 3745-66-11 and 3745-66-14, Plastech must conduct closure (i.e., decontamination) activities for all areas where hazardous wastes were accumulated. For additional information concerning closure activities, please refer to Section 1.10 of Ohio EPA's Closure Plan Review Guidance for RCRA Facilities, available at: <http://www.epa.state.oh.us/dhwm/cprg.html>.

**Within 14 days of the date of this letter, submit a response to the undersigned addressing each violation appearing in this letter. Pertinent documentation to address each violation must accompany your response.**

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of or others from responsibility under Chapters 3704, 3714, 3734 or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

Should you have any questions, please contact me at (330) 963-1108.

Sincerely,



Frank Zingales  
Environmental Specialist  
Division of Hazardous Waste Management

FZ:ddw/Enclosure

ec: Harry Sarvis, DHWM, CO  
Ralph McGinnis, DHWM, CO  
Nyall McKenna, DHWM, NEDO  
cc: Amanda Sturm, AGO  
Duane Smith, Trusted Partners LLC